



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/356,086	07/16/1999	— SETH REDMORE	FORE-56	7325

7590 03/12/2004  
ANSEL M SCHWARTZ  
ONE STERLING PLAZA  
201 N CRAIG STREET SUITE 304  
PITTSBURGH, PA 15213

EXAMINER

WRIGHT, NORMAN M

ART UNIT PAPER NUMBER

2134

DATE MAILED: 03/12/2004

12

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/356,086

Applicant(s)

REDMORE, SETH

Examiner

Norman M. Wright

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 13 and 14 is/are rejected.
- 7) ☒ Claim(s) 4-12 and 15-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

*Norman M. Wright*  
NORMAN M. WRIGHT  
PRIMARY EXAMINER

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Specification*

The abstract of the disclosure is objected to because it is too long and exceeds the maximum allowable limit (150 words). Correction is required. See MPEP § 608.01(b).

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3 and 13-14, are rejected under 35 USC 103 as being unpatentable over Abraham et al., U.S. Pat. No. 5,983,270, hereinafter '270, and further in view of "Web Security, A step by step reference guide," by Lincoln D. Stein, hereinafter Stein.

3. As to claims 1-2 and 13, '270 teaches the claimed invention comprising: a method and system for secure telecommunications having an internal and external network, a switch/router, a first and second inspection engine/ firewalls(internal & external filtering modules), determining traffic, processing of traffic for continue transmission or prevention, a first and second destinations, see providing access control...(figs. 1 and 2), monitoring network traffic...(50, 52, 54, and col. 2, lines 13 et seq., and lines 31-36, and col. 5, lines 25-60); ...data packet are non-intrusive...(col. 13, lines 20-23). As to the ...individual node to node transmission...(figs. 2, 3A, 9A-9D, col.

Art Unit: 2134

5, lines 25-30, col. 6, lines 47-54 et seq., and col. 7, lines 15-25 et seq.); ...identifying source and destinations information... (figs. 8E, 8J, 8L, 9A-9D, 21, col. 7, lines 15-25 et seq., and col. 11, lines 13 et seq.) and applying access rules/routing... (abst., figs. 2, 3A [50, 62, 72, 76, 78], 4[50], 5, 7A-7C, 8E, 9A-12, 15A-118, col. 2, lines 13-35 et seq., col. 5, lines 54-59 et seq., col. 6, lines 25-36 et seq., col. 7, lines 38-65 et seq., col. 8, lines 13-25 et seq., col. 9, lines 55 et seq., col. 11, lines 1 et seq.). '270 invention is practiced in the environment of LANs and WANs, which utilizes the TCP/IP Protocol or other protocols and provide for internal and external networks. Not explicitly taught is not have the inspection engines in the line of the internet and intranet.

4. Stein teaches typical network topologies for network security and packet transmission comprising: a firewall, routers, servers, proxies, and gateways for transmitting assembled packet information to and from destinations and sources that are, ....outside the direct path..., or a ...workstation... see (pages 389-391 et seq., 394-396, 399, 402-405, figs. 14.4-14.7, pages 406-411).

It would have been obvious to one of ordinary skill in the art, at the time of the invention, to augment the invention of '270 with one of the typical network configurations as disclosed by Stein. One of ordinary skill in the art would have realized that the actual topography of a network system, and in particular the placement of its packet routers, and firewalls, is a function of how well an administrator wants to secure his network. Based upon that and other considerations one of ordinary skill in the art would choose a network configuration that supports what type of packets if any, traffic are allowed to pass through, as well as to what destinations. A person of ordinary skill in the art would

Art Unit: 2134

have been motivated, to utilize one of the conventional network configuration such as a screened subnetwork or similar type as taught by Stein. Because the use of this type of network allows for selected packets from particular destinations, sources and type/context to pass through the network without going directly through a path that is between the source and destination nodes. By using a screened subnet one would allow the routers to grant access to certain proxies and servers that are not in the direct path between the source and destination, thereby improving the throughput and establishing secure monitoring of packet transmissions between said nodes.

As to claims 3 and 14, it is notoriously well known that the internet/external firewall has its traffic entering through a different port, than the intranet/internal firewall, see the router in Stein pages 402-405.

***Allowable Subject Matter***

5. Claims 4-12, and 15-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. New corrected drawings are required in this application because allowable subject matter has been indicated. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Art Unit: 2134

***Response to Arguments***

7. Applicant's arguments with respect to claims 1-3, and 13-14 have been considered but are moot in view of the new ground(s) of rejection.

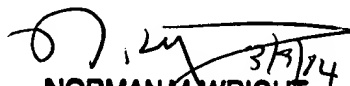
**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication should be directed to Norman M. Wright at telephone number (703) 305-9586.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Norman M. Wright whose telephone number is (703) 305-9586. The examiner can normally be reached on Mondays from 8am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached on (703) 308-4789. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7240. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900

  
NORMAN M. WRIGHT  
PRIMARY EXAMINER